

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21327 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- Cyber P.S. District- Muzaffarpur

Raj Kumar S/o Lalan Kumar R/o vill - Madhusharan, P.S. - Mehendia, Distt. -
Arwal, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Ranjan, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Cyber P.S. Case No.34 of 2023 lodged under Sections 406 and
420 and 379 of the I.P.C. read with section 66(C) (D) of Indian
Technology Act.

3. As per the prosecution case, the F.I.R. has been
lodged against one named accused persons excluding the
petitioner against whom there is allegation of committing
criminal breach of trust and fraud using computer as defined in
the I.T. Act.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is not named in the F.I.R. He further submits
that the co-accused has disclosed the name of the petitioner and
victim has identified the petitioner and other two accused
persons and disclosed that they are responsible for sham



transaction through their account.

5. Counsel further submits that the petitioner is in custody since 24.12.2023 having clean antecedent. He further submits that no cogent evidence has been found either in the F.I.R. or in the case diary.

6. Learned counsel for the State opposes the prayer for bail and submits that a mobile phone through which the sham transaction was made, has been recovered from the possession of the petitioner.

7. Upon specific query whether charge has been framed or not. Counsel for the petitioner submits that he is not aware about the framing of charge.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **6 months after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., (West), Muzaffarpur in connection with Cyber P.S. Case No.34 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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